

AGENDA

***REVISED OCTOBER 5, 2023**

BOARD OF ADJUSTMENT

Thursday, October 12, 2023

NOTE: In accordance with 29 Del. C. Section 10006A, Board of Adjustment Hearings will be held as a virtual meeting utilizing Zoom Webinar. The New Castle Room, Government Center, 87 Reads Way, New Castle, DE 19720 will be accessible during the scheduled hearing time for members of the public to attend the virtual meeting in-person.

THE BOARD OF ADJUSTMENT OF NEW CASTLE COUNTY will hold a public hearing utilizing ZOOM Webinar on Thursday, October 12, 2023. The appropriate weblink, call-in number(s) and ID number can be found approximately two (2) business days prior to the scheduled hearing date at <https://www.nccde.org/agendacenter>

NEW BUSINESS

New Applications:

Applications will be heard at the public hearing **utilizing ZOOM Webinar on Thursday, October 12, 2023 at 6:00 p.m. The Zoom link for the public hearing is:**

<https://us02web.zoom.us/j/87845518226?pwd=dXdWZXE4N2U1RzE4RzQ5WGt6dGVOZz09>

Passcode: 166785

Or One tap mobile:

+16469313860,,87845518226#,,,,*166785# US

+19292056099,,87845518226#,,,,*166785# US (New York)

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 929 205 6099 or +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325 or +1 312 626 6799 or +1 646 931 3860

Webinar ID: 878 4551 8226

Passcode: 166785

1. [209 W. Union Drive, Middletown, DE 19709](#). Area variances: 1. To maintain a detached accessory structure 23 feet in height (20-foot maximum building height) see UDC Section 40.03.410.A. 2. To maintain a detached accessory structure 23 feet in height, 6 feet from the westerly side lot line (10-foot side yard setback) see UDC Section 40.03.410.A & UDC Table 40.04.110.B. 3. To construct a 25 feet tall addition to the existing detached accessory (20-foot maximum building height) see UDC Section 40.03.410.A. 4. To construct a 25 feet tall addition to the existing detached accessory, 26 feet from the rear property line (40-foot rear yard setback) see

UDC Section 40.03.410.A & UDC Table 40.04.110.B. **Charles Dalton Jr.** NC21 Zoning. CD 6. (App 2023-0457-A) TP 11-055.00-048.

2. 0 & 27 Tyrone Avenue, New Castle, DE 19720. Area variances: **1.** To permit a 4,000 square foot lot size for Parcel 1 (5,000-square foot minimum lot size) see UDC Table 40.04.110.B. **2.** To permit a 40 foot lot width Parcel 1 (50-foot minimum lot width) see UDC Table 40.04.110.B. **3.** To permit a 4,000 square foot lot size for Parcel 3 (5,000-square foot minimum lot size) see UDC Table 40.04.110.B. **4.** To permit a 40 foot lot width Parcel 3 (50-foot minimum lot width) see UDC Table 40.04.110.B. **5.** To permit a 4,000 square foot lot size for Parcel 4 (5,000-square foot minimum lot size) see UDC Table 40.04.110.B. **6.** To permit a 40 foot lot width Parcel 4 (50-foot minimum lot width) see UDC Table 40.04.110.B. **Chris Feathers.** NC5 Zoning. CD 10. (App 2023-0477-A) TPs 10-005.30-011 & 10-005.30-012.

3. 902 Windsor Avenue, Wilmington, DE 19804. Area variances to facilitate the recordation of a Land Development Plan: To construct a dwelling 16 feet from the Adelpia Avenue right-of-way for Lot 1 (25-foot street yard setback) see UDC Table 40.04.110.B. **J & B Contractors, LLC.** NC5 Zoning. CD 1. (App 2023-0452-A) TP 07-047.30-012.

4. 1073 Clayton Greenspring Road, Smyrna, DE 19977. Area variance to facilitate the recordation of a Land Development Plan: To permit a 0 foot lot width (300-foot minimum lot width) see UDC Table 40.04.110.B **TPE DE NE91, LLC.** SR Zoning. CD 6. (App 2023-0411-A) TP 15-026.00-029.

5. 900 Dutch Neck Road, Middletown, DE 19709. Beneficial Use Appeal: The Applicant claims the landowner has been denied all or substantially all economically viable use of property through the application of the Unified Development Code. See UDC Section 40.31.600. **L. Vincent Rammuno.** S Zoning. CD 12. (App 2023-0382-A) TP 13-004.00-009.

OTHER BUSINESS

Training Session:

There will be a Board Member training session utilizing ZOOM Webinar on Thursday, October 12, 2023 at 5:30. No applications will be heard during the training session. The Zoom link for the training session is:

<https://us02web.zoom.us/j/86891020379?pwd=WDBSdHo2OTh1MVJucnRJRHBuUW9Sdz09>

Passcode: 238504

Or One tap mobile :

+13052241968,,86891020379#,,,,*238504# US

+13092053325,,86891020379#,,,,*238504# US

Or Telephone:

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US: +1 929 205 6099 or +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325 or +1 312 626 6799 or +1 646 931 3860

Webinar ID: 868 9102 0379

Passcode: 238504

Individuals needing reasonable accommodations according to the *Americans with Disabilities Act*, please call 395-5400 (DRS, 1-800-232-5460) at least (5) business days before the meeting/hearing. Information is available in the Department of Land Use, New Castle County Government Center, 87 Reads Way, Corporate Commons, New Castle, DE from 8:00 a.m. to 4:00 p.m., or call 395-5400.